Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 918-00482-4140-505	Date: 11/30/18	Time: 1438	
Location: 200 West Compton Boulevard	City or Station: Compton		
Bureau/Station/Facility: Court Services East / Compton Courthouse	Admin. Investigation: ○ YES ◉ NO		
Type of Force: Control Holds / Team Takedown / Taser / Resisted Handcuffing			
Incident Category: ○1 ○2 ◉3	Deputy Injury: ○ YES ◉ NO	Suspect Injury ◉ YES ○ NO	
☐ Call ☒ Observation ☐ Detail	☐ Foot Pursuit	☐ Vehicle Pursuit	
IAB Notified: ◉YES ○ NO	Person Notified: Lt. Robert L. Jones II	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.:	Rank: DSG		
Sex: ○ M ◉ F	Race: H	Height: 5'05	Weight: 180	Age: [redacted]	Shift: ○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Court Services East	Work Assignment (Unit #, Module, etc.): Compton Court, Department 12					
Individual Force Used: Control Holds	◉ Directed ○ Rescue ○ Medical Assist	Individual Category ◉1 ○2 ○3				
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #:				

E2

Employee #: [redacted]	Last Name: Sandoval	First Name: Omar	Middle I.: M.	Rank: DSG		
Sex: ◉ M ○ F	Race: H	Height: 5'07	Weight: 165	Age: [redacted]	Shift: ○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Court Services East	Work Assignment (Unit #, Module, etc.): Compton Court, Department 12					
Individual Force Used: Control Holds, Team Takedown, Resisted Handcuffing	◉ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ◉2 ○3				
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #:				

E3

Employee #: [redacted]	Last Name: Rundquist	First Name: Lehi	Middle I.: D.	Rank: SDG		
Sex: ◉ M ○ F	Race: W	Height: 5'09	Weight: 175	Age: [redacted]	Shift: ○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Court Services East	Work Assignment (Unit #, Module, etc.): Compton Court, Department 7					
Individual Force Used: Control Holds	◉ Directed ○ Rescue ○ Medical Assist	Individual Category ○1 ◉2 ○3				
☐ Injured ☐ Treated ☐ Admitted	Facility:	Coroner Case #:				

On Duty Supervisor

☒ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Binion	Fred	N.	SGT	YES ◉ NO ○	YES ◉ NO ○

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Carr	Dustin	A.	SGT	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Brooks	Erika	L.	LT

Lieutenant Minh Dinh [signature] 9/5/19

Watch Commander / Supervising Lieutenant's **Signature**: Date Copy Provided to Employee by: Emp #:

Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

918 - 00482 - 4140 - 505

Involved Employee

E4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Ubryan	Eugene	J.	DSG

Sex	Race	Height	Weight	Age	Shift	Status
(•) M ( ) F	A	5'07	160	[redacted]	( ) EM (•) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Court Services East	Compton Court, Department G

Individual Force Used	Type	Individual Category
Team Takedown, Leg Sweep	(•) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 (•) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

E5

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Dorsten	John	P.	DSG

Sex	Race	Height	Weight	Age	Shift	Status
(•) M ( ) F	W	5'04	190	[redacted]	( ) EM (•) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Court Services East	Compton Court, Department L

Individual Force Used	Type	Individual Category
Team Takedown, Control Holds, Resisted Handcuffing	(•) Directed ( ) Rescue ( ) Medical Assist	( ) 1 ( ) 2 (•) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

E6

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Stern	Julian	R.	DSG

Sex	Race	Height	Weight	Age	Shift	Status
(•) M ( ) F	W	6'00	165	[redacted]	( ) EM (•) Day ( ) PM	( ) Regular Shift (•) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Pico Rivera Station	Compton Court, Department 12

Individual Force Used	Type	Individual Category
Team Takedown, Control Holds	(•) Directed ( ) Rescue ( ) Medical Assist	( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

E7

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]	[redacted]	DSG

Sex	Race	Height	Weight	Age	Shift	Status
(•) M ( ) F	B	6'01	240	[redacted]	( ) EM (•) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Court Services East	Compton Court, Bailiff Security

Individual Force Used	Type	Individual Category
Control Holds	(•) Directed ( ) Rescue ( ) Medical Assist	(•) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

E8

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		DSG

Sex	Race	Height	Weight	Age	Shift	Status
( ) M (•) F	H	4'09	150	[redacted]	( ) EM (•) Day ( ) PM	(•) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment	Work Assignment (Unit #, Module, etc.)
Court Services East	Compton Court, Department 10

Individual Force Used	Type	Individual Category
Taser	(•) Directed ( ) Rescue ( ) Medical Assist	( ) 1 (•) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ____ Coroner Case #

Supervisor's Report on Use of Force
SUSPECT INFORMATION

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Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Fernandez	Daniel		Not Armed

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	Weight	D.O.B:	Phone #1: ◉ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
◉ Male ○ Female	B	34	6'02	230	11/29/84	[redacted]	[redacted]

Street Address:	City:	State & Zip Code:
[redacted]	[redacted]	[redacted]

Booking #: 5485166 Primary Charge Code: 243(d) P.C. Secondary Charge Code: [redacted] Criminal History

Treated on Scene? ○ YES ◉ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: MLK Community Hosp. Coroner Case #: ______ Mental History ☐ User's guide provides direction on this entry

By: Nathan Wilkes, M.D. Address: 1680 East 120th St, Los Angeles, 90059 Phone #: 424-338-8000

Under Influence: ○ YES ◉ NO Substance: ______ 5150 a factor in force? ○ YES ◉ NO User's guide provides direction on this entry

Date: 01/03/19 Time: 1120 ☒ Audiotape: ☒ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐ User's guide provides direction on this entry

By: ______ Address: ______ Phone #: ______

Under Influence: ○ YES ○ NO Substance: ______ 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name	First Name	Middle Name	Armed? Select

AKA Last Name	First Name	Middle Name

Sex:	Race:	Age:	Height:	D.O.B.	Weight:	Phone #1: ○ H ○ W ○ C	Phone #2: ○ H ○ W ○ C
○ Male ○ Female							

Street Address:	City:	State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐ User's guide provides direction on this entry

By: ______ Address: ______ Phone #: ______

Under Influence: ○ YES ○ NO Substance: ______ 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Jimenez	Susana	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Court	Bailiff Security	○ EM ◉ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Delfin	Joshua	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Court	Bailiff Security	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Beckford	Ian	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Court	Department 5	○ EM ◉ Day PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Griffith	Russell	Arthur	62	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
200 West Compton Boulevard	Compton	90220	3106037271	None

Last Name	First Name	Middle Name	Age	D.O.B.
Gallen	Meredith	Ann	34	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
200 West Compton Boulevard	Compton	90220	3106037271	None

Last Name	First Name	Middle Name	Age	D.O.B.
Walker	Stacy	Annette	56	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
200 West Compton Boulevard	Compton	90220	3107614312	None

Last Name	First Name	Middle Name	Age	D.O.B.
Scott	Joanne	Shanna	47	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
200 West Compton Boulevard	Compton	90220	3107614361	None

Last Name	First Name	Middle Name	Age	D.O.B.
Hudson	Altus	Waddell	53	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
200 West Compton Boulevard	Compton	90220	3107614270	None

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☒ **Additional Witness**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Le	Doug	T.
Unit of Assignment: Compton Court	Work Assignment (Unit #, Module, etc.): Department 260	Shift: ◯ EM ◉ Day ◯ PM	◉ Regular ◯ OT ◯ Off Duty
[redacted]	Dimas	Marvin	G.
Unit of Assignment: Compton Court	Work Assignment (Unit #, Module, etc.): Department 261	Shift: ◯ EM ◉ Day ◯ PM	◉ Regular ◯ OT ◯ Off Duty
[redacted]	Binion	Fred	N.
Unit of Assignment: Carson Station	Work Assignment (Unit #, Module, etc.): Compton Court Sergeant	Shift: ◯ EM ◉ Day ◯ PM	◯ Regular ◉ OT ◯ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Nguyen	Cuong	P.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Compton Courthouse	Department 8	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force
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Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
[redacted]	E#1	Fernandez	S#1	CT	NN	AR
Sandoval	E#2	Fernandez	S#1	CT	NN	AR
Sandoval	E#2	Fernandez	S#1	TT	AB	AR
Sandoval	E#2	Fernandez	S#1	RH	NN	WR
Rundquist	E#3	Fernandez	S#1	CT	NN	AR
Ubryan	E#4	Fernandez	S#1	TT	FR	AK
Ubryan	E#4	Fernandez	S#1	CT	NN	LE
Dorsten	E#5	Fernandez	S#1	TT	FR	AK
Dorsten	E#5	Fernandez	E#1	CT	NN	AR
Dorsten	E#5	Fernandez	S#1	RH	NN	WR
Stern	E#6	Fernandez	S#1	TT	AB	HE
Stern	E#6	Fernandez	S#1	CT	NN	SH
[redacted]	E#7	Fernandez	S#1	CT	NN	LE
[redacted]	E#8	Fernandez	S#1	TR	PW	BK
Fernandez	S#1	[redacted]	E#1	UC	NN	NN
Fernandez	S#1	[redacted]	E#1	RS	NN	AR
Fernandez	S#1	Sandoval	E#2	UC	NN	NN
Fernandez	S#1	Sandoval	E#2	RS	NN	AR
Fernandez	S#1	Rundquist	E#3	RS	NN	AR
Fernandez	S#1	[redacted]	E#1	HR	NN	NN
Fernandez	S#1	Sandoval	E#2	HR	NN	NN
Fernandez	S#1	Rundquist	E#3	HR	NN	NN
Fernandez	S#1	Sandoval	E#2	HR	NN	NN
Fernandez	S#1	Ubryan	E#4	HR	NN	NN
Fernandez	S#1	Dorsten	E#5	HR	NN	NN
Fernandez	S#1	Stern	E#6	HR	NN	NN
Fernandez	S#1	[redacted]	E#7	HR	NN	NN
Fernandez	S#1	[redacted]	E#8	HR	NN	NN

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Category 3 Use of Force, Fractured Right Ankle**
IAB FILE NUMBERS:	**FO 2469862**
URN#:	**918-00482-4140-505**
DATE/TIME:	**November 30, 2018 / 1440 Hours**
LOCATION:	**Compton Courthouse, Department 12** **200 West Compton Boulevard, Compton**

SYNOPSIS:

On November 30, 2018, Mr. Daniel Fernandez (Suspect Fernandez) arrived at Compton Courthouse, Department 12, on his own accord for a bench warrant hearing. At approximately 1430 hours, he was remanded into custody by Judge Altus Hudson (Witness Hudson). Deputies tried to handcuff Suspect Fernandez, but he refused to let them. A sergeant responded and directed deputies to use control holds, a team takedown, and a Taser to arrest Suspect Fernandez, resulting in Suspect Fernandez sustaining a fractured right ankle.

SUMMARY:

When Suspect Fernandez appeared in court, Witness Hudson remanded him into custody **[EXHIBIT A, Remand/Removal Order]**. After the remand order was given, Deputies [redacted] Sandoval, and Stern approached Suspect Fernandez in order to take him into custody. Deputy [redacted] ordered Suspect Fernandez to place his hands behind his back. Suspect Fernandez refused to comply and demanded to speak with Witness Hudson. Realizing the situation was escalating, Deputy [redacted] requested a sergeant to their location (Department 12), using her handheld radio.

Deputies [redacted] and Sandoval attempted to handcuff Suspect Fernandez while speaking with him to de-escalate the situation. Suspect Fernandez resisted by raising his arms above his head. They all eventually moved toward the left side of the courtroom, where Suspect Fernandez grabbed the seating area partition (partition) to anchor himself. Deputies [redacted] and Sandoval

continued to hold onto Suspect Fernandez' arms, as Deputy Stern requested additional personnel to Department 12, using his handheld radio.

Once additional deputies and Sergeant Binion arrived, Sergeant Binion spoke with Suspect Fernandez for several minutes in an attempt to de-escalate the situation. Suspect Fernandez refused to listen, and he challenged deputies to tase and shoot him. Suspect Fernandez insisted he was not going to jail. After Deputies Rundquist, Dorsten, and Stern formed a semi-circle around Suspect Fernandez, Sergeant Binion ordered them to handcuff Suspect Fernandez. Deputies [redacted] Rundquist, Dorsten, and Sandoval used control holds in another attempt to handcuff Suspect Fernandez, but Suspect Fernandez turned his body and pulled his arms away.

Sergeant Binion ordered the deputies to take Suspect Fernandez to the floor. Deputies Stern and Sandoval pulled Suspect Fernandez down to the floor. During the takedown, Deputy Ubryan hooked his leg on Suspect Fernandez' right leg near his shin to throw him off balance. Simultaneously, Deputy Dorsten placed his right foot in front of Suspect Fernandez' right ankle, also trying to throw Suspect Fernandez off balance. The deputies braced Suspect Fernandez' fall as he landed on the floor, facedown with his hands tucked under his body. He again challenged the deputies to tase or shoot him while thrashing his body around. The deputies and Sergeant Binion gave Suspect Fernandez orders to comply; however, their orders were ignored. Deputies Rundquist, Dorsten, and Sandoval tried to move Suspect Fernandez' arms behind his back, while Deputies Ubryan and [redacted] held onto Suspect Fernandez' legs. Suspect Fernandez continued to resist. During the high-risk situation, Sergeant Binion ordered Deputy [redacted] to tase Suspect Fernandez. Deputy [redacted] placed her Taser, with the cartridge attached, against Suspect Fernandez' upper back and activated it. She tased him three times as directed by Sergeant Binion, before Suspect Fernandez finally gave up and allowed the deputies to handcuff him.

Suspect Fernandez was assisted to his feet and escorted to the satellite lockup. While waiting for an elevator in the satellite lockup area, Suspect Fernandez lunged at a group of inmates, who were detained in a nearby holding cell. Deputies Sandoval and Dorsten held onto Suspect Fernandez' arms to control him.

IAB NOTE: The satellite lockup is a temporary holding cell for inmates awaiting court proceedings.

Once the elevator arrived, Suspect Fernandez was taken to the main lockup area, where he was searched and detained in a holding cell without further incident. He was subsequently transported to Martin Luther King Jr. Memorial Hospital for abrasions he sustained to his head during the incident. A notification was made to Internal Affairs Bureau for said injuries **[Miscellaneous Documents]**.

During a review of Suspect Fernandez' medical report about a month after the incident, Lieutenant Terrance Bell, from Court Services East Division, learned Suspect Fernandez was diagnosed with a right ankle talar fracture. He notified Internal Affairs Bureau (IAB) investigators on January 3, 2019. IAB Sergeants Dustin Carr and Ernest Ferreras responded to collect all relevant reports **[EXHIBIT B].**

INVOLVED EMPLOYEES AND WORK HISTORY

[redacted] Deputy Sheriff, #[redacted]
Court Services East - Compton Courthouse

Work History
Date of Employment: November 22, 2005
Date Assigned to Court Services East: March 25, 2018
Date Completed Patrol Training: [redacted]
Prior Founded Force Incident(s):

Equipment Worn On Person
Duty Weapon
Oleoresin Capsicum (OC) Spray
Expandable Baton
Handcuffs
Portable Radio

Omar Sandoval, Deputy Sheriff, [redacted]
Court Services East - Compton Courthouse

Work History
Date of Employment: October 29, 2015
Date Assigned to Court Services East: November 11, 2018
Date Completed Patrol Training: [redacted]
Prior Founded Force Incident(s):

Equipment Worn On Person
Oleoresin Capsicum (OC) Spray
Expandable Baton
Handcuffs
Portable Radio

Lehi Rundquist, Deputy Sheriff, #[redacted]
Court Services East - Compton Courthouse

Work History

Date of Employment:	October 15, 2007
Date Assigned to Court Services East:	September 17, 2017
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incident(s):	

Equipment Worn On Person
Duty Weapon
Oleoresin Capsicum (OC) Spray
Expandable Baton
Handcuffs
Portable Radio

Eugene Ubryan, Deputy Sheriff, #[redacted]
Court Services East - Compton Courthouse

Work History

Date of Employment:	July 22, 2004
Date Assigned to Court Services East:	December 20, 2015
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incident(s):	

Equipment Worn On Person
Duty Weapon
Oleoresin Capsicum (OC) Spray
Handcuffs
Portable Radio

John Dorsten, Deputy Sheriff, #[redacted]
Court Services East - Compton Courthouse

Work History

Date of Employment:	September 03, 1991
Date Assigned to Court Services East:	April 01, 2012
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incident(s):	

Equipment Worn On Person
Oleoresin Capsicum (OC) Spray
Handcuffs
Portable Radio
Expandable Baton

Julian Stern, Deputy Sheriff Reserve Level I, #[redacted]
East Patrol Division - Pico Rivera Station

Work History
Date of Employment: July 16, 2016
Date Assigned to Pico Rivera Station: February 26, 2017
Date Completed Patrol Training: [redacted]
Prior Founded Force Incident(s):

Equipment Worn On Person
Duty Weapon
Oleoresin Capsicum (OC) Spray
Handcuffs
Portable Radio

[redacted] Deputy Sheriff, #[redacted]
Court Services East - Compton Courthouse

Work History
Date of Employment: November 08, 2001
Date Assigned to Court Services East: August 01, 2010
Date Completed Patrol Training: [redacted]
Prior Founded Force Incident(s):

Equipment Worn On Person
Duty Weapon
Oleoresin Capsicum (OC) Spray
Handcuffs
Portable Radio
Taser

[redacted] Deputy Sheriff, #[redacted]
Court Services East - Compton Courthouse

Work History
Date of Employment: November 02, 2001
Date Assigned to Court Services East: August 12, 2012
Date Completed Patrol Training: [redacted]
Prior Founded Force Incident(s):

Equipment Worn On Person
Oleoresin Capsicum (OC) Spray
Handcuffs
Portable Radio
Taser
Expandable Baton

SUSPECT INFORMATION

Daniel Larry Fernandez
Male, Black, DOB: November 29, 1984, 6'02", 230 pounds
[redacted]
CII # [redacted], MAIN # [redacted], FBI # [redacted]

The report from Consolidated Criminal History Reporting System (CCHRS) **[EXHIBIT C]** showed Suspect Fernandez was [redacted]

WITNESSES

Deputy Susana Jimenez
Deputy Joshua Delfin
Deputy Ian Beckford
Deputy Doug Le
Deputy Marvin Dimas
Sergeant Fred Binion
Deputy Cuong Nguyen
Russell Griffith
Stacy Walker
Joanne "Shanna" Scott
Altus Hudson

INJURIES

Suspect Larry Fernandez
Suspect Fernandez sustained a talar fracture to his right ankle, a scratch on his left wrist, two small puncture wounds on the center of his back, and an abrasion on his forehead, above his left eyebrow. His injuries healed prior to IAB investigators receiving this case. Lieutenant Bell documented Suspect Fernandez' injuries during his watch commander's interview **[EXHIBIT D]**. Suspect Fernandez' talar fracture was documented in medical reports generated by Martin Luther King Jr. Community Hospital and by jail medical staff **[EXHIBIT E]**.

No Department personnel were injured during this incident.

PHYSICAL EVIDENCE

None

INVESTIGATOR'S OBSERVATIONS

Approximately one month and four days elapsed between the time of the use of force and the time the assigned IAB investigator made his observations. The assigned IAB investigator made several attempts to contact Doctor Nathan Wilkes from Martin Luther King Jr. Community Hospital to obtain his statement; however, the hospital staff would not disclose his schedule or availability. Suspect Fernandez' medical report from the Sheriff Department's custody medical staff corroborated the medical diagnoses made by Doctor Nathan Wilkes.

The assigned IAB investigator went to Compton Courthouse, Department 12, to view the scene. The layout of the courtroom appeared to be the same as seen on security video footage. The team takedown took place in the area between the court clerk's desk and the partition. The distance between the clerk's desk and the partition measured approximately three feet two inches. The assigned IAB investigator took photographs of the scene **[EXHIBIT F]**.

Photographs referenced during IAB interviews of the involved personnel are combined into one exhibit **[EXHIBIT G]**. The photographs presented during these interviews aided in identifying approximate locations and observations of the personnel interviewed.

SURVEILLANCE VIDEO

On January 3, 2019, IAB investigators obtained a copy of the surveillance footages **[EXHIBIT H]** from Lieutenant Bell. The first camera angle was from above the judge's bench looking toward the gallery / front door of the courtroom. The video was clear, and it captured the use of force in its entirety. IAB investigators also obtained copies of the surveillance footage from the court lock up areas for reference.

Video 1 – Department 12

14:38:44 Deputy [redacted] stands behind Suspect Fernandez and attempts to guide his hands behind his back. Deputy Sandoval, standing to the right of Suspect Fernandez, places his right hand on Suspect Fernandez' right forearm.

14:38:45 Deputy Stern removes his handcuffs from the right handcuff case.

14:38:47	Deputy Sandoval places his left hand on Suspect Fernandez' left biceps.
14:38:51	Suspect Fernandez pulls his right arm away from Deputy [redacted]
14:38:52	Witness Meredith Gallen places her hand on Suspect Fernandez' left stomach area and attempts to speak to him.
14:39:02	Suspect Fernandez pulls his left arm away from Deputy Sandoval and raises it above his head.
14:39:49	Deputy Stern uses his handheld radio.
14:39:57	Suspect Fernandez grabs the partition with his left hand.
14:40:10	Deputy [redacted] enters the courtroom from the satellite lockup door.
14:41:10	Deputy Nguyen enters the courtroom from the satellite lockup door.
14:41:33	Deputy Rundquist enters the courtroom from the gallery entrance.
14:41:55	Deputy Rundquist clears the gallery of viewers.
14:41:56	Deputies Lee, Dimas, and Jimenez enter the courtroom from the gallery entrance.
14:42:14	Deputies Beckford and Delfin enter the courtroom from the Judge's chambers.
14:42:33	Deputy [redacted] enters the courtroom from the gallery entrance.
14:42:42	Deputy Ubryan enters the courtroom from the gallery entrance.
14:43:03	Sergeant Binion enters the courtroom from the satellite lockup door.
14:43:15	Deputy Dorsten enters the courtroom from the gallery entrance.
14:45:02	Deputy Nguyen exits the courtroom through the gallery entrance.
14:45:45	Deputies try to pull Suspect Fernandez' hands behind his back.
14:45:59	Deputies take Suspect Fernandez to the floor.
14:46:06	Deputy [redacted] leans forward to tase Suspect Fernandez.
14:46:49	Suspect Fernandez stands up with the help of deputies.

14:47:00 Suspect Fernandez speaks to Sergeant Binion.

Video 2 – Department 12 Satellite Lockup

14:47:37 Deputies escort Suspect Fernandez into the satellite lockup area.

14:47:45 Suspect Fernandez lunges to his left and is held back by deputies.

14:47:53 Sergeant Binion enters the satellite lockup area.

14:48:19 Deputies escort Suspect Fernandez into an elevator.

Video 3 – Basement Lockup

14:49:08 Deputies escort Suspect Fernandez into a holding cell, and out of camera's view.

14:52:25 Deputies close the cell door.

WEAPON USED BY DEPUTY PERSONNEL

Deputy [redacted] used an X-26 Taser with serial number [redacted] She activated the Taser three times **[EXHIBIT I]**.

WEAPONS USED BY SUSPECT FERNANDEZ

None.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

No criminal charges were filed on Suspect Fernandez for this incident.

LIGHTING AND WEATHER CONDITIONS

The courtroom was illuminated by overhead fluorescent lights.

INVOLVED EMPLOYEE STATEMENTS:

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

Deputy [redacted]



On March 12, 2019, IAB investigators interviewed Deputy [redacted] who was working as the bailiff in Department 12, on November 30, 2018. After Suspect Fernandez checked in with her, she asked him to wait in the gallery until his case was called. At approximately 1430 hours, Witness Hudson remanded Suspect Fernandez into custody while Suspect Fernandez was standing in the courtroom, just behind the court clerk's desk.

> **IAB NOTE: Using a photograph provided during the interview, Deputy [redacted] circled the area where Suspect Fernandez stood [EXHIBIT G, [redacted] photo A].**

Deputy [redacted] approached Suspect Fernandez and ordered him to place his hands behind his back. She placed her right hand on Suspect Fernandez' right wrist to handcuff him, but Suspect Fernandez pulled his arm forward. Deputy [redacted] thought Suspect Fernandez was going to run out of the courtroom. As Deputy [redacted] held onto Suspect Fernandez' right wrist, Deputy Sandoval held onto Suspect Fernandez' shoulder area. She noticed Deputy Stern was now standing to her right. They spoke to Suspect Fernandez, attempting to calm him down. Deputy Stern attempted to handcuff Suspect Fernandez' wrist again, but he was unsuccessful. During their attempts to detain Suspect Fernandez, they shifted toward the partition, where Suspect Fernandez grabbed onto it. At that point, Deputy [redacted] requested a supervisor to respond to her courtroom, via her portable radio.

> **IAB NOTE: Using the photograph provided during the interview, Deputy [redacted] marked her position with an "A," Deputy Sandoval's position with an "S," and Deputy Stern's position with an "ST" [EXHIBIT G, [redacted] photo B].**

Deputy [redacted] continued to speak with Suspect Fernandez trying to de-escalate the situation. Suspect Fernandez stated he did not want to go to jail, and he wanted the deputies to shoot him **[Refer to Deputy [redacted] transcripts, page 14]**. Deputies [redacted] Stern, and Sandoval kept the situation under control while waiting for a supervisor to arrive. In the interim, Deputies Dorsten, Rundquist, and Ubryan arrived, but Deputy [redacted] did not remember the order in which they arrived. She merely remembered seeing them there.

When Sergeant Binion arrived, he spoke with Suspect Fernandez. Suspect Fernandez told Sergeant Binion that he was not going to be arrested **[Refer to Deputy [redacted] transcripts, page 16]**. At that point, Sergeant Binion gave Suspect Fernandez one more opportunity to comply and allow deputies to handcuff him. Suspect Fernandez refused to comply. Sergeant Binion ordered the deputies to handcuff Suspect Fernandez. Deputy [redacted] and Deputy Rundquist, attempted to pull Suspect Fernandez' right hand behind his back, while Deputies Stern and Sandoval attempted to pull Suspect Fernandez' left hand behind his back. Suspect Fernandez resisted by pulling his arms away and they were not successful in handcuffing him.

As the deputies struggled to maintain control of Suspect Fernandez, Sergeant Binion ordered them to take Suspect Fernandez to the floor. Suspect Fernandez and the deputies started to move around, and Deputy [redacted] lost her grip on Suspect Fernandez' right arm. Suspect Fernandez was taken down to the floor by the other deputies. He lay on the floor with his head pointing toward the judge's bench, and his feet toward the gallery. Deputy [redacted] did not see what the other deputies did since as she fell to the floor on her knees. Her radio microphone became dislodged from her shirt, and it was now dangling between the deputies. She pulled her radio microphone out from the crowd and stood up. She saw Suspect Fernandez get on his feet with the help of other deputies. Deputy [redacted] did not hear Suspect Fernandez complain of pain nor did she notice any injuries on him. Deputy [redacted] did not remember a Taser being used against Suspect Fernandez, but only heard about the use of the Taser afterward.

Deputy [redacted] was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. After reviewing the video, Deputy [redacted] recalled helping Suspect Fernandez onto his feet after the takedown.

Deputy Omar Sandoval

On March 12, 2019, IAB investigators interviewed Deputy Sandoval, who was working as the second bailiff in Department 12 when Suspect Fernandez arrived. Suspect Fernandez checked into the courtroom before lunch, and sat down in the gallery to wait for his case to be called.

When Suspect Fernandez checked in, his demeanor was "normal." At approximately 1430 hours, Suspect Fernandez' case was called, and he stood on the "X" marking next to the public defender's desk **[EXHIBIT G, Sandoval, photo B]**. Suspect Fernandez' demeanor did not change until the judge (Witness Hudson) remanded him into custody. Suspect Fernandez became angry and said, "I am not fucking going to jail!" Deputy Sandoval approached Suspect Fernandez and placed his hands on Suspect Fernandez' forearms to bring them together for handcuffing. Suspect Fernandez pulled away and moved

both arms out in front of him. Deputy Sandoval grabbed Suspect Fernandez' jacket with his right hand and Suspect Fernandez' left arm with his left hand. Deputy Sandoval told Suspect Fernandez to place his hands behind his back. Suspect Fernandez did not comply and yelled, "I am not fucking going to jail!"

Deputy Sandoval tried to de-escalate the situation, but Suspect Fernandez was not complying with his order to surrender **[Refer to Deputy Sandoval's transcripts, page 10]**. Deputy Sandoval noticed Deputy [redacted] tried to assist him with handcuffing Suspect Fernandez. Deputy [redacted] eventually requested a sergeant and additional deputies to Department 12, via her handheld radio.

While Deputy Sandoval attempted to maintain his grips on Suspect Fernandez' left arm and jacket, but Suspect Fernandez moved away toward the partition. Deputies Sandoval and [redacted] followed Suspect Fernandez, and regained control of him

Once additional deputy personnel arrived, they collectively tried to secure Suspect Fernandez' hands behind his back. Deputy Sandoval identified Deputies [redacted] and Rundquist as the two additional deputies who assisted him. He was unable to identify anyone else at this point. Approximately forty five to fifty seconds later, Sergeant Binion arrived and stood on the opposing side of the partition.

IAB NOTE: Using a photo provided during the interview, Deputy Sandoval marked Sergeant Binion's location [EXHIBIT G, Sandoval, photo A].

Sergeant Binion spoke with Suspect Fernandez and listened to his demands. Sergeant Binion attempted to gain Suspect Fernandez' compliance, but he was not successful. Suspect Fernandez said, "I am not going to fucking jail!" After many verbal warnings and attempts to gain Suspect Fernandez' compliance, Sergeant Binion ordered deputies to take Suspect Fernandez to the floor **[Refer Deputy Sandoval's transcripts, page 19]**.

Deputy Sandoval grabbed Suspect Fernandez' shoulder with his hands and used his body weight to force Suspect Fernandez' body toward the floor. He did not remember how the other deputies assisted with this team takedown, but everyone moved to the floor with Suspect Fernandez. Suspect Fernandez landed on the floor and continued to yell as he moved his head from side to side. He shouted he was not going to jail without a fight, and challenged the deputies to tase him **[Refer to Deputy Sandoval's transcripts, page 21]**.
Deputy Sandoval moved to Suspect Fernandez' right side. He noticed Suspect Fernandez held his arms near his buttocks area. Deputy Sandoval and other deputies tried to pull Suspect Fernandez' arms behind his back for handcuffing. Deputy Sandoval told Suspect Fernandez to "stop resisting, put your hands

behind your back, and let me handcuff you." Sergeant Binion also spoke to Suspect Fernandez, telling him to stop resisting and let the deputies take him into custody **[Refer to Deputy Sandoval's transcripts, page 25]**.

Suspect Fernandez continued with his resistive behavior, by moving around on the floor with his hands under his body. Deputy Sandoval heard Sergeant Binion order Deputy [redacted] to tase Suspect Fernandez. Deputy Sandoval saw Deputy [redacted] reach over Suspect Fernandez' head with a Taser. Deputy Sandoval saw the Taser probes connect to the center of Suspect Fernandez' back. Deputy Sandoval heard three distinct Taser activations. Between the first two Taser activations, Suspect Fernandez maintained his aforementioned behavior. He told the deputies to tase him again, kept his arms at his side, and moved his body around. After the third Taser activation, Deputy Sandoval took control of Suspect Fernandez' right hand and handcuffed him. Deputy Sandoval helped Suspect Fernandez to his feet and escorted him to the lockup area, where he was searched and booked. Suspect Fernandez complained of pain to his head. Suspect Fernandez did not complain of pain to his legs. Deputy Sandoval did not remember anything abnormal about the way Suspect Fernandez walked.

Deputy Sandoval was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. After reviewing the video, he remembered Deputy Stern assisted him in his attempt to control Suspect Fernandez. He remembered Suspect Fernandez yelled and cussed at other inmates, who were housed in the satellite lockup area. During that incident, Suspect Fernandez attempted to lunge toward those inmates. Deputy Sandoval, who had a good grip on Suspect Fernandez' left arm, held Suspect Fernandez in place.

Deputy Lehi Rundquist

On March 19, 2019, IAB investigators interviewed Deputy Lehi Rundquist. He was assigned to Department 7 on the day of the incident. Deputy Rundquist recalled he responded to Department 12 regarding a backup request he heard over the radio. When he arrived, he saw Suspect Fernandez holding onto the partition. Deputy Rundquist saw Deputy [redacted] holding Suspect Fernandez' right side and Deputy Sandoval holding Suspect Fernandez' left side. A male deputy arrived and assisted Deputies [redacted] and Sandoval, but he did not remember the male deputy's name. Based on Suspect Fernandez' actions and behavior, Deputy Rundquist believed Suspect Fernandez was going to fight them. Suspect Fernandez said, "You guys are just gonna have to shoot me or tase me cause I ain't fuckin' goin' back in!" **[Refer to Deputy Rundquist's transcripts, page 6]**.

> **IAB NOTE: Using a photo provided during the interview, Deputy Rundquist drew a circle to show where Suspect Fernandez stood [EXHIBIT G, Rundquist, photo A].**

Deputy Rundquist went to the left side of Suspect Fernandez and calmly told him that the deputies did not have any choice but to take him into custody. During this time, Sergeant Binion and several other deputies arrived. Sergeant Binion spoke with Suspect Fernandez for a short time and eventually ordered deputies to handcuff Suspect Fernandez.

Deputy Rundquist grabbed Suspect Fernandez' left arm while other deputies grabbed Suspect Fernandez' right arm. Deputy Rundquist's attention was focused on Suspect Fernandez, and he did not know what the other deputies did at the time. Suspect Fernandez attempted to pull his arm away from them, so they could not handcuff Suspect Fernandez. Deputy Rundquist believed Suspect Fernandez was going to fight them. As they were struggling to pull Suspect Fernandez' arms behind his back, Deputy Rundquist heard Sergeant Binion's order them to take Suspect Fernandez to the floor.

Suspect Fernandez turned his body, and he was now facing the judge's bench. Deputy Rundquist moved forward with Suspect Fernandez and the other deputies. Deputy Rundquist, who still had his grip on Suspect Fernandez' left arm, felt Suspect Fernandez fall forward onto the floor. Deputy Rundquist fell forward with Suspect Fernandez. Deputy Rundquist did not see how the takedown occurred. He maintained his grips on Suspect Fernandez' left arm.

Once on the floor, Suspect Fernandez kept his arms to his sides. Deputy Rundquist felt Suspect Fernandez' body movements as he attempted to push himself off the floor. Deputy Rundquist heard Suspect Fernandez yelling, but he did not remember exactly what he was yelling about. Deputy Rundquist just tried to pull Suspect Fernandez' arm behind his back.

During this time, he heard Deputy [redacted] say, "I've got a Taser!" **[Refer to Deputy Rundquist's transcripts, page 12]**. Deputy Rundquist saw the Taser pass through his field of vision and contact the center of Suspect Fernandez' upper back. He heard the Taser activate and complete its cycle. After the first Taser activation ended, Suspect Fernandez pulled his arms away from the deputies and he again attempted to get up. After the second Taser activation ended, Deputy Rundquist pulled Suspect Fernandez' left arm behind his back and Deputy Sandoval subsequently handcuffed Suspect Fernandez. Once Suspect Fernandez was handcuffed, they lifted him onto his feet and escorted him out of the courtroom. Deputy Rundquist did not remember who escorted Suspect Fernandez. Deputy Rundquist did not hear Suspect Fernandez complain of any pain nor did he notice anything abnormal about the way Suspect Fernandez walked.

Deputy Rundquist was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. After reviewing the video, Deputy Rundquist added he cleared the courtroom shortly

after his arrival. He wanted to ensure no one in the audience could intervene with the incident.

Deputy Eugene Ubryan

On March 12, 2019, IAB investigators interviewed Deputy Eugene Ubryan, who was working in Department G on the day of the incident. Deputy Ubryan said he responded to Department 12 regarding an assistance request. When he arrived, he saw Deputies [redacted] and Sandoval holding onto Suspect Fernandez' arms. They were standing near the partition.

> **IAB NOTE: Using a photo provided during the interview, Deputy Ubryan marked Suspect Fernandez' position with a circle, Deputy [redacted] position with an "A," and Deputy Sandoval's position with an "S" [EXHIBIT G, Ubryan's photo B].**

Deputy Ubryan noticed Suspect Fernandez was irate and was much taller than Deputies [redacted] and Sandoval. Deputies [redacted] and Sandoval were speaking with Suspect Fernandez, but Deputy Ubryan did not remember what they were saying. Sergeant Binion was also present, and he began talking with Suspect Fernandez. Deputy Ubryan could not recall what Sergeant Binion was saying to Suspect Fernandez. Deputy Ubryan stood near the front doors of the courtroom observing the incident. Sergeant Binion eventually gave an order for deputies to take Suspect Fernandez to the floor.

Deputy Ubryan saw a group of seven or eight deputies surround Suspect Fernandez. He noticed they were having trouble taking Suspect Fernandez to the floor. Deputy Ubryan indicated Suspect Fernandez was "highly combative" and assaultive **[Refer to Deputy Ubryan's transcripts, page 11]**. Deputy Ubryan approached the group and noticed Suspect Fernandez' right leg was exposed. Deputy Ubryan hooked his right leg around Suspect Fernandez' right shin, which caused Suspect Fernandez to lose his balance and fall forward. Deputy Ubryan did not see what the other deputies did during the takedown.

After Suspect Fernandez was on the floor, Deputy Ubryan secured Suspect Fernandez' right leg by either applying a bear hug or forcing his weight down onto Suspect Fernandez' legs with his knees. As Deputy Ubryan held Suspect Fernandez' legs in place, he could not see what the other deputies were doing. Deputy Ubryan heard a Taser cycling during the incident. He did not physically see the Taser nor did he hear anyone say they had a Taser. Deputy Ubryan had "tunnel vision" at that point. Suspect Fernandez was later handcuffed, helped to his feet, and escorted out of the courtroom. Deputy Ubryan did not remember who escorted Suspect Fernandez out of the courtroom.

Deputy Ubryan was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. After reviewing the video, he stated he thought Sergeant Binion was already in the courtroom upon his arrival; however, the video showed them walking into the courtroom within seconds of each other.

Deputy John Dorsten

On March 12, 2019, IAB investigators interviewed Deputy Dorsten, who was working in Department L on the day of the incident. Deputy Dorsten stated he responded to Department 12 after hearing a backup request over the radio. When he arrived, he saw approximately ten deputies surrounding Suspect Fernandez. Deputies [redacted] and Rundquist were holding Suspect Fernandez' right arm, while Deputy Sandoval was holding Suspect Fernandez' left arm. Suspect Fernandez repeatedly yelled, "Fuck you! I don't want to go in! Tell the judge I don't want to go in!" **[Refer to Deputy Dorsten's transcripts, page 6]**. Deputy Dorsten saw Sergeant Binion speak with Suspect Fernandez to calm him down.

> **IAB NOTE: Using a photo provided during the interview, Deputy Dorsten marked the location where the deputies stood. Deputy Dorsten marked Deputy [redacted] position with letter "A" [EXHIBIT G, Dorsten, photo A].**

Deputy Dorsten noticed Suspect Fernandez was angry, and he was not following the deputies' or Sergeant Binion's orders. Deputy Dorsten noticed Suspect Fernandez was significantly larger than them. Deputy Dorsten, thinking the situation might escalate, approached Deputy [redacted] removed her handgun from her holster, and secured it in his holster. Deputy Dorsten did not want Suspect Fernandez to reach for Deputy [redacted] handgun if given the opportunity.

After several attempts were made to gain Suspect Fernandez' cooperation, Sergeant Binion ordered deputies to handcuff Suspect Fernandez. Deputy Dorsten helped Deputies [redacted] and Rundquist by grabbing Suspect Fernandez' right wrist with his left hand. They attempted to pull Suspect Fernandez' right arm behind his back, while at the same time, giving Suspect Fernandez orders to cooperate. Deputy Dorsten noticed Suspect Fernandez was very strong as he overcame the strength of the deputies attempting to handcuff him. A short time later, Sergeant Binion ordered them to take Suspect Fernandez down to the floor.

Deputy Dorsten placed his foot in front of Suspect Fernandez' right leg to conduct the takedown. Numerous deputies were holding onto Suspect Fernandez as he fell to the floor. When Suspect Fernandez landed on the floor, he tucked his hands under his body. Deputy Dorsten was now on Suspect

Fernandez' right side, attempting to pull Suspect Fernandez' right arm to the small of his back. Deputy Sandoval was on the other side of Suspect Fernandez' body. Together, Deputies Dorsten and Sandoval tried to pry Suspect Fernandez' hands out from under his body.

Deputy Dorsten found it difficult to control Suspect Fernandez' arms, because they were crowded in a tight space, between a court clerk's desk and the partition. Deputy Dorsten did not know if Suspect Fernandez was reaching for or concealing a dangerous weapon. Sergeant Binion and the involved deputies continued to give Suspect Fernandez orders to cooperate and allow the deputies to handcuff him. Suspect Fernandez said, "Fuck you! You're going to have to tase me!" **[Refer to Deputy Dorsten's transcripts, page 21]**.

Deputy Dorsten heard Deputy [redacted] announce she had a Taser. He also heard Sergeant Binion order Deputy [redacted] to tase Suspect Fernandez. Deputy [redacted] activated her Taser, and the Taser darts penetrated Suspect Fernandez' upper middle back. Deputy Dorsten only remembered two Taser activations. During the first Taser activation, Deputy Dorsten felt Suspect Fernandez' body shaking. Deputy Dorsten could only move Suspect Fernandez' right arm slightly, but he could not pull Suspect Fernandez' right arm behind his back. Suspect Fernandez continued to yell, and his resistive behavior did not change. Deputy Dorsten did not hear Sergeant Binion give the second order of Taser activation before Deputy [redacted] tased Suspect Fernandez a second time. Once the second Taser activation ended, Deputy Dorsten moved Suspect Fernandez' right arm behind his back for handcuffing. Deputy Dorsten handcuffed Suspect Fernandez' right wrist while Deputy Sandoval handcuffed Suspect Fernandez' left wrist. Afterward, Deputies Dorsten, Sandoval, and Rundquist helped Suspect Fernandez to his feet. He was escorted to the main lockup area.

Deputy Dorsten was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. After reviewing the video, Deputy Dorsten remembered Suspect Fernandez taunted deputies and put "on a show" for the inmates in the satellite lockup area. Once they entered the elevator, Suspect Fernandez became cooperative with deputies.

Deputy Julian Stern

On February 13, 2019, at 1116 hours, IAB investigators interviewed Deputy Stern, who, at the time, was a reserve deputy sheriff assigned to Pico Rivera Sheriff Station. Deputy Stern stated he was working overtime at Compton Courthouse, Department 12. He remembered Suspect Fernandez walked into the courtroom and sat in the audience. At the moment, Deputy Stern did not have any issue with Suspect Fernandez. The court was in recess for lunch and it resumed at 1330 hours. When Suspect Fernandez' case was called before the

court, Suspect Fernandez walked up and stood next to the public defender's desk.

> **IAB NOTE: Using a photo provided during the interview, Deputy Stern marked Suspect Fernandez' location with a circle [EXHIBIT G, Stern, photo A].**

At first, Deputy Stern did not notice anything out of the ordinary about Suspect Fernandez' case. It was not until Suspect Fernandez was remanded into custody by Witness Hudson that his demeanor began to change. Deputy Stern said Suspect Fernandez' demeanor was "hostile" when Deputy [redacted] told him to put his hands behind his back. Suspect Fernandez stated, "I didn't do it! I'm not going to be arrested!" He refused to put his hands behind his back **[Refer to Deputy Stern's transcripts, page 6]**. Suspect Fernandez tensed his body and raised his hands up. Suspect Fernandez did not follow Deputy [redacted] commands to put his hands behind his back. Deputy [redacted] requested a sergeant to the courtroom via her handheld radio. She grabbed Suspect Fernandez' right arm as Deputy Sandoval grabbed Suspect Fernandez' left arm. Deputy Stern stated he was standing directly in front of Suspect Fernandez at this point.

> **IAB NOTE: Using a photo provided during the interview, Deputy Stern marked Deputies [redacted] and Sandoval's locations with triangles. Deputy Stern printed their names underneath the triangles [EXHIBIT G, Stern, photo A].**

Deputy Stern noticed Suspect Fernandez was much larger than all of them. He believed Suspect Fernandez was going to violently resist their efforts to take him into custody. Deputy Stern removed his handcuffs and approached Suspect Fernandez with the intent to handcuff him. Suspect Fernandez pulled his arms away from Deputy Stern, as he brought the handcuffs up to Suspect Fernandez' wrists. Deputy Stern gave Suspect Fernandez commands to place his hands behind his back. Suspect Fernandez refused to comply. Deputy Stern called for backup using his portable radio.

The incident went static for a short time while they waited for additional personnel. Deputies [redacted] and Sandoval maintained their grips on Suspect Fernandez' arms, while Suspect Fernandez kept his hands in front of him. Sergeant Binion and additional deputies eventually arrived. Deputy Stern was new to Compton Courthouse, so he did not remember the responding deputies' names. He saw Sergeant Binion trying to convince Suspect Fernandez to make the situation "as easy as possible." Sergeant Binion asked Suspect Fernandez "very nicely" to place his hands behind his back. Sergeant Binion made two or three requests before Sergeant Binion ordered him to place his hands behind his back. Suspect Fernandez was acting "irrational" as he said, "Well! Just shoot

me! Just shoot me then!" Sergeant Binion said, "We're not going to do that." "Come on, just let's make this easy on everybody." **[Refer to Deputy Stern's transcripts, page 11]**. Sergeant Binion attempted to de-escalate the situation to no avail. He eventually gave deputies the order to take Suspect Fernandez down to the floor.

Deputy Stern was standing in front of Suspect Fernandez, so he placed his hands near Suspect Fernandez' shoulder at the back of his neck. He pulled Suspect Fernandez toward him. As Suspect Fernandez fell forward, Deputy Stern supported Suspect Fernandez' body to break the fall. He did not remember who partook in the team takedown.

IAB NOTE: Using a photo provided during the interview, Deputy Stern marked Suspect Fernandez' position using circles. He printed the words "head" and "feet" to notate their respective positions [EXHIBIT G, Stern, photo B].

Suspect Fernandez lay face down, with his head in the area between the court reporter's desk and the partition. Suspect Fernandez' feet were just beyond the court reporter's desk. Deputy Stern placed both hands on Suspect Fernandez' upper body and applied downward pressure to hold him on the floor. Deputy Stern saw another deputy holding Suspect Fernandez' feet down.

Suspect Fernandez tucked his arms under his body to prevent deputies from handcuffing him. Suspect Fernandez continued to yell, telling deputies to shoot him and tase him. Deputies repeatedly gave Suspect Fernandez orders to put his hands behind his back. After a few moments of struggle, Sergeant Binion ordered Deputy [redacted] to tase Suspect Fernandez. Deputy [redacted] tased Suspect Fernandez two or three times. After the first Taser activation ended, Suspect Fernandez shouted, "Tase me! Shoot me! I'm not going! I didn't do it!" **[Refer to Deputy Stern's transcripts, page 14]**. Sergeant Binion ordered Deputy [redacted] to tase Suspect Fernandez again. After the second or third Taser activation ended, Suspect Fernandez gave up and allowed deputies to handcuff him. Deputy Stern did not know the names of the deputies who applied the handcuffs on Suspect Fernandez' wrists. Suspect Fernandez was subsequently helped to his feet. He was escorted out of the courtroom into the lockup area. Deputy Stern reported his use of force and what he witnessed to Sergeant Binion. Sergeant Binion conducted an "informal" debriefing of the incident, but Deputy Stern did not remember what was said.

Deputy [redacted]

On March 13, 2019, IAB investigators interviewed Deputy [redacted] who was working in Courtroom C, on the day of the incident. Deputy [redacted] heard a backup request over the radio for Department 12. When he arrived, he saw twelve to fifteen deputies in the courtroom. They were standing near the partition

facing away from him. The deputies formed a semi-circle around Suspect Fernandez. Deputy [redacted] saw Deputy Rundquist speak with Suspect Fernandez, attempting to calm him down. Suspect Fernandez appeared agitated. He kept saying, "I'm not going to jail on a Friday, fuck you motherfuckers! It's Friday! I came through the front doors. I don't see why I have to go to jail. You guys didn't have to come and find me!" **[Refer to Deputy [redacted] transcripts, pages 5 and 6]**.

A few minutes later, Sergeant Binion arrived and spoke with Suspect Fernandez. He politely informed Suspect Fernandez the reason why he was being arrested. Suspect Fernandez refused to listen to Sergeant Binion or follow his orders. Suspect Fernandez said, "I am not going to jail on a Friday! Fuck you motherfuckers!" Sergeant Binion subsequently ordered Suspect Fernandez to place his hands behind his back. Suspect Fernandez refused to comply. Sergeant Binion ordered the deputies to handcuff Suspect Fernandez.

Deputy [redacted] did not remember who attempted to handcuff Suspect Fernandez; however, the attempt was unsuccessful. Sergeant Binion ordered the deputies to take Suspect Fernandez down to the floor. Deputy [redacted] did not remember who partook in the takedown or how the takedown was conducted. He did remember it was a forceful takedown, wherein Suspect Fernandez landed on the floor face down. At that point, Deputy [redacted] knelt down and placed both his hands on Suspect Fernandez' left ankle to hold it down.

IAB NOTE: Using a photo provided during the interview, Deputy [redacted] marked his position in the courtroom with the word "me" and Suspect Fernandez' position with a circle. The deputies surrounding Suspect Fernandez were notated by a series of X's [EXHIBIT G, [redacted] photo B].

Suspect Fernandez continued to yell and violently move his body around. At one point, Suspect Fernandez attempted to lift up his left ankle; however, Deputy [redacted] was able to hold it in place. As Suspect Fernandez continued his violent behavior, Sergeant Binion directed Deputy [redacted] to tase Suspect Fernandez twice. The first Taser activation did not seem to stop Suspect Fernandez' violent behavior. After the second Taser activation ended, deputies were able to handcuff Suspect Fernandez, help him to his feet, and escort him out of the courtroom. Deputy [redacted] did not recall who handcuffed Suspect Fernandez. Deputy [redacted] did not hear Suspect Fernandez complain of any pain and Suspect Fernandez seemed to walk normally.

Deputy [redacted] was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. After reviewing the video, Deputy [redacted] recalled he held Suspect Fernandez' left leg down with one hand instead of two.

Deputy [redacted]

On March 13, 2019, IAB investigators interviewed Deputy [redacted] who was working in Department 10, on November 30, 2019. Deputy [redacted] responded to Department 12 regarding a backup request and entered through the custody satellite lockup door. She saw Suspect Fernandez standing next to the partition with one hand on top of the partition rail. Deputy [redacted] was holding Suspect Fernandez' right arm, while Deputy Sandoval was holding Suspect Fernandez' shoulder.

IAB NOTE: Using a photo provided during the interview, Deputy [redacted] drew a circle to notate where Suspect Fernandez stood [EXHIBIT G, [redacted] photo B].

Suspect Fernandez was yelling, "You need to bring the judge back out here." "I'm not going in." "I was already out of custody." At that point, Deputy [redacted] thought Suspect Fernandez was going to fight them, so she grasped her Taser. While watching Suspect Fernandez, she noticed he was attempting to pull his arm away from Deputy [redacted] bolstering her concerns about Suspect Fernandez' propensity for violence **[Refer to Deputy [redacted] transcripts, page 6].** Suspect Fernandez looked at Deputy [redacted] and said, "I don't care if you tase me, you can tase me. You can do whatever you want. I'm not going in."

Sergeant Binion eventually arrived and attempted to de-escalate the situation by telling Suspect Fernandez to comply and allow deputies to handcuff him. Suspect Fernandez did not comply with Sergeant Binion's orders. Sergeant Binion gave the deputies the order to handcuff Suspect Fernandez' hands. The deputies struggled with Suspect Fernandez for a few seconds. Suspect Fernandez balled his hands up into fists and pulled them forward to the front of his chest, defeating the deputies' efforts to control his hands. Sergeant Binion subsequently ordered deputies to take Suspect Fernandez down to the floor.

Deputy [redacted] did not see how Suspect Fernandez was taken to the floor or who was involved in the takedown. She stood directly in front Suspect Fernandez and focused on his upper body. She saw several deputies grab Suspect Fernandez' arms, and he subsequently went down to the floor. Deputy [redacted] was still standing in front of Suspect Fernandez. **[Refer to Deputy [redacted] transcripts, page 10].**

Suspect Fernandez was combative as he thrashed his body around and refused to be handcuffed. He tucked his arms under his body. Since he had not yet been searched, Deputy [redacted] became concerned with Suspect Fernandez possibly having a weapon under his body. After she announced she had a Taser, Sergeant Binion ordered her to tase Suspect Fernandez.

Deputy [redacted] pressed her Taser against the upper left side of Suspect Fernandez' back. She pulled the trigger and the Taser cycled for five seconds. After the first Taser activation ended, Suspect Fernandez pulled his hands out from under his body and thrashed around. Sergeant Binion subsequently ordered a second taser activation. Deputy [redacted] tased Suspect Fernandez a second time, but she believed it was only for three seconds. She recalled seeing the Taser's timer display at the back of the Taser, counting down the amount of time that elapsed during the activation. She noticed a deputy had one of Suspect Fernandez' arms behind his back in handcuffs, which is why she ended the second Taser activation. Suspect Fernandez resumed his "combative" behavior. He thrashed his body around and kept his other arm under his body. Deputy [redacted] activated her Taser again. The third Taser activation immobilized Suspect Fernandez, and it allowed the deputies to handcuff Suspect Fernandez' wrists. She also believed the third Taser activation lasted less than five seconds, because she released the trigger before the Taser cycle ended. Deputy [redacted] did not remember who handcuffed Suspect Fernandez.

IAB NOTE: According to the Taser's report, all three Taser activations completed their five-second cycle [EXHIBIT I].

She saw Suspect Fernandez get up on his feet, and he was escorted down to the main lockup area without further incident. Suspect Fernandez did not complain of pain.

Deputy [redacted] was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. After reviewing the video, she indicated she removed her Taser from its holster before Suspect Fernandez was taken to the ground.

EMPLOYEE WITNESSES:

Deputy Susana Jimenez

On March 13, 2019, IAB investigators interviewed Deputy Susana Jimenez, who was working as a bailiff security deputy on the day of the incident. During her shift, she heard Deputy [redacted] request backup in Department 12, over the radio. Deputy Jimenez responded and saw Deputy Sandoval standing next to Suspect Fernandez' right side and Deputy [redacted] next to Suspect Fernandez' left side.

IAB NOTE: Using a photo provided during the interview Deputy Jimenez marked Suspect Fernandez' location with a circle and Deputies Sandoval's and [redacted] locations with letters "X" [EXHIBIT G, Jimenez, photo A].

Deputy Jimenez remained in the back of the courtroom, near the public entrance, to ensure nobody else entered the courtroom.

IAB NOTE: Using a photo provided during the interview, Deputy Jimenez placed an "X" where she stood [EXHIBIT G, Jimenez, photo C].

From her position, Deputy Jimenez heard Sergeant Binion order Suspect Fernandez to place his hands behind his back to no avail. Sergeant Binion gave deputies orders to handcuff Suspect Fernandez. She saw Deputy [redacted] struggling to handcuff Suspect Fernandez while Suspect Fernandez repeatedly yelled, "I ain't going!" "I didn't do nothing!" **[Refer to the IAB transcripts, page 6]**. Eventually, deputies took Suspect Fernandez to the floor. Deputy Jimenez did not see how the deputies performed the team takedown.

Once on the floor, she noticed several deputies struggled to handcuff Suspect Fernandez. She saw Suspect Fernandez move around as Sergeant Binion ordered Deputy [redacted] to tase Suspect Fernandez. Deputy [redacted] leaned forward and activated her Taser twice. Deputy Jimenez believed Deputy [redacted] also used the Taser's drive-stun mode to immobilize Suspect Fernandez. She did not hear Sergeant Binion give the second Taser activation order.

IAB NOTE: A "Drive-Stun" mode is when the contact points of a Taser are pressed against the body of another, and the Taser completes the circuit.

After Suspect Fernandez was tased, deputies were able to handcuff him and escort him out of the courtroom.

Deputy Joshua Delfin

On March 13, 2019, IAB investigators interviewed Deputy Joshua Delfin, who was working as a bailiff security deputy on the day of the incident. He stated he responded to Department 12 after he heard radio traffic requesting backup. When Deputy Delfin arrived, he saw Suspect Fernandez standing by the partition. He saw several deputies standing around Suspect Fernandez. One female deputy and one male deputy were holding onto Suspect Fernandez' arms. Deputy Delfin did not remember who they were. He heard deputies give Suspect Fernandez orders to place his hands behind his back. The deputies also assured Suspect Fernandez that everything was going to be okay. Suspect Fernandez forcibly moved his arms in front of him to prevent the deputies from handcuffing him. Deputy Delfin saw Suspect Fernandez' attorneys, Witness Gallen and Witness Griffith, speaking with him. Deputy Delfin stood in front of the court clerk's desk and watched their interactions.

The situation remained static for several minutes while they waited for a sergeant to arrive. Sergeant Binion arrived and spoke with Suspect Fernandez. He explained to Suspect Fernandez why the deputies had to handcuff him. Suspect Fernandez refused to listen. Sergeant Binion ordered the deputies to handcuff Suspect Fernandez. The deputies attempted to force Suspect Fernandez' arms behind his back, but Suspect Fernandez, being much larger and stronger than the involved deputies, kept raising his arms in front of him. Based on Suspect Fernandez' reactions, Deputy Delfin believed Suspect Fernandez was going to fight. When Sergeant Binion ordered the deputies to take Suspect Fernandez down to the floor, Deputy Delfin saw five deputies grab Suspect Fernandez' limbs and guide Suspect Fernandez to the floor between the clerk's desk and the partition. Seeing sufficient deputy personnel were on scene to perform the takedown, Deputy Delfin did not get involved.

IAB NOTE: Using a photo provided during the interview, Deputy Delfin indicated Suspect Fernandez' position with an oval [EXHIBIT G, Delfin, photo A].

Once on the floor, Suspect Fernandez forced his hands under his body. Suspect Fernandez struggled and prevented deputies from putting his hands behind his back. Suspect Fernandez was yelling about something, and Deputy Delfin did not know exactly what he said. Deputy Delfin heard Sergeant Binion and several deputies give Suspect Fernandez orders to cooperate. Suspect Fernandez did not comply.

Deputy Delfin heard Sergeant Binion order Deputy [redacted] to tase Suspect Fernandez. He saw deputies move over slightly, giving room to Deputy [redacted] so she could lean in and tase Suspect Fernandez. The Taser darts deployed and the Taser activated. Suspect Fernandez did not appear to be affected by the Taser. Suspect Fernandez continued yelling and keeping his arms under his body. Deputy Delfin heard Sergeant Binion order a second Taser activation. Deputy [redacted] activated the Taser as instructed. The second Taser activation appeared to be effective as the deputies were able to handcuff him.

Afterward, they rolled Suspect Fernandez onto his side then stood him up. They escorted Suspect Fernandez out of the courtroom. Deputy Delfin did not see any abnormalities in the way Suspect Fernandez walked and did not hear him complain of any pain to his legs.

Deputy Ian Beckford

On April 4, 2019, IAB investigators interviewed Deputy Ian Beckford, who was working in Department 5 on the day of the incident. He responded to Department 12 regarding a backup request. When he arrived, he saw several deputies restraining Suspect Fernandez. Among the deputies restraining Suspect Fernandez were Deputies [redacted] and Sandoval. Deputy Beckford was

new to the facility and he did not know the deputies' names. He saw deputies holding Suspect Fernandez' arms as they stood by the partition.

> **IAB NOTE: Using a photo provided during the interview, Deputy Beckford drew an arrow where Suspect Fernandez stood [EXHIBIT G, Beckford Photo B].**

> **IAB NOTE: Deputy Beckford, being recently assigned to Compton Courthouse, mistakenly identified Deputy [redacted] as Deputy [redacted]**

Deputy Beckford heard Suspect Fernandez making statements to the fact that he was not going back to jail. He saw Sergeant Binion enter the courtroom from the satellite lockup door and speak to Suspect Fernandez. During this conversation, Suspect Fernandez stated, "You're going to have to kill me or shoot me!" **[Refer to the IAB transcripts, page 7].**

Sergeant Binion spoke to Suspect Fernandez for another three minutes before he ordered deputies to take Suspect Fernandez to the floor. Deputy Beckford saw Deputies Ubryan, Sandoval, [redacted] and several other deputies grab Suspect Fernandez by the arms and pull him down. Suspect Fernandez fell on the floor and pulled his hands under his body.

> **IAB NOTE: Using a photo provided during the interview, Deputy Beckford used a circle to indicate Suspect Fernandez' position after the takedown [Refer to EXHIBIT G, Beckford, photo A].**

Suspect Fernandez refused to allow deputies to handcuff him. Sergeant Binion repeatedly gave Suspect Fernandez orders to place his hands behind his back. Suspect Fernandez refused to comply and yelled at the deputies. Sergeant Binion eventually ordered Deputy [redacted] to tase Suspect Fernandez.

Deputy [redacted] activated her Taser twice. In the first Taser activation, the Taser probes connected to Suspect Fernandez' upper back, but it did not have any impact on Suspect Fernandez. He still kept his hands under his body and refused to follow orders. After the second Taser activation ended, deputies were able to handcuff Suspect Fernandez and escort him into the satellite lockup area. Deputy Beckford did not notice anything unusual about the way Suspect Fernandez walked nor did he hear Suspect Fernandez complain of any pain.

Deputy Doug Le

On April 4, 2019, IAB investigators interviewed Deputy Doug Le, who was working in Department 260 on the day of the incident. He responded to Department 12, and saw Deputy [redacted] possibly Deputy Sandoval, and three

or four more deputies holding onto Suspect Fernandez' arms. He did not remember who the other deputies were.

IAB NOTE: Using a photo provided during the interview, Deputy Le marked Suspect Fernandez' position with a circle [EXHIBIT G, Le, photo A].

He noticed Suspect Fernandez was yelling at deputies because he did not want to go to jail. Suspect Fernandez seemed to be pushing deputies away. Deputy Le believed Suspect Fernandez was assaultive toward them at that time. A short time later, Sergeant Binion arrived and spoke with Suspect Fernandez. Sergeant Binion told Suspect Fernandez that he was not going to be released. As deputies attempted to handcuff Suspect Fernandez, he moved his shoulders and pulled away from the deputies. Deputy Le thought Suspect Fernandez was going to hit them and attempt to escape.

At one point, Suspect Fernandez was taken down to the floor. Deputy Le did not see how the takedown occurred nor did he remember who conducted the takedown. His view was blocked by several deputies. While Suspect Fernandez was on the floor, Deputy Le heard Sergeant Binion order Deputy [redacted] to tase Suspect Fernandez. Deputy Le heard two distinct Taser activations. After the second Taser activation ended, Deputy Le heard the ratcheting sound of handcuffs. Deputy Le could not see Suspect Fernandez' body while he was on the ground; therefore, Deputy Le did not know who handcuffed him. Suspect Fernandez was subsequently helped to his feet and escorted by deputies out of the courtroom.

Deputy Marvin Dimas

On March 13, 2019, at 1507 hours, the assigned IAB investigator conducted an audio recorded interview of Deputy Martin Dimas, who was working in Department 261 on the date of the incident. Deputy Dimas said he heard a female voice requesting backup to Department 12, so he responded. When he arrived, he saw Suspect Fernandez standing next to the partition with several deputies standing around him in a semi-circle. He saw a female deputy holding onto Suspect Fernandez' arm. Deputy Dimas did not remember the names of the involved deputies. He heard Suspect Fernandez make statements about him not going back to jail. During the commotion, Sergeant Binion arrived and spoke with Suspect Fernandez. Deputy Dimas did not remember what Sergeant Binion said, but he overheard Sergeant Binion give Suspect Fernandez orders to place his hands behind his back. Suspect Fernandez did not comply. He kept saying, "No! I can't go to jail." **[Refer to Deputy Dimas' transcripts, page 9].**

When deputies tried to move Suspect Fernandez' arms behind his back, Suspect Fernandez locked his arms out and forcefully moved them in front of his body. Sergeant Binion gave the deputies orders to take Suspect Fernandez down to

the floor. Deputy Dimas saw several deputies move behind Suspect Fernandez and take him to the floor. Deputy Dimas' view was obstructed by a waist-high swinging door, separating the gallery from the rest of the courtroom. Therefore, he did not see how Suspect Fernandez landed on the floor or who were involved in the takedown. Once Suspect Fernandez was on the floor, several deputies surrounded him. Deputy Dimas' vision was now blocked by the deputies' backs. Deputy Dimas heard the sounds of Taser being activated once or twice, but he did not see who tased Suspect Fernandez. Deputy Dimas heard the "clicking sound" of handcuffs before Suspect Fernandez was helped to his feet and escorted out of the courtroom.

IAB NOTE: Deputy Dimas was presented with two photos during his interview [EXHIBIT G, Dimas, photos A and B]. Deputy Dimas did not make any marks on the photos. He merely pointed out his positions during the interview.

Sergeant Fred Binion

On January 29, 2019, IAB investigators interviewed Sergeant Fred Binion, who worked overtime at Compton Courthouse, on November 30, 2018. During his shift, he heard a deputy request for a sergeant to Department 12 over the radio. Sergeant Binion immediately responded and entered the courtroom through the satellite lockup door. He saw Suspect Fernandez standing in the courtroom next to the partition. Deputies [redacted] Rundquist, Sandoval, and possibly Stern formed a half-moon shape behind Suspect Fernandez' back

IAB NOTE: Using a photograph provided during the interview, Sergeant Binion marked his position with a letter "X" and Suspect Fernandez' position with a circle [Refer to EXHIBIT G, Binion, photo B].

Suspect Fernandez yelled at the deputies saying, "Y'all going to have to fight me!" "Y'all have to kill me." "You have to Tase me!" "You're going to have to do all these things." "I'm not going to jail" **[Refer to IAB transcripts, page 12]**. Based on his observation, Sergeant Binion believed Suspect Fernandez was going to fight the deputies. Sergeant Binion spoke with Suspect Fernandez and tried to gain his cooperation. Suspect Fernandez repeated the same statements and refused to listen to him. Sergeant Binion gave Suspect Fernandez one last opportunity to cooperate before he ordered Suspect Fernandez to place his hands behind his back. Suspect Fernandez did not comply. Sergeant Binion ordered the deputies to handcuff Suspect Fernandez, but they could not.

Suspect Fernandez was much larger in stature than the involved deputies. As Suspect Fernandez continuously pulled his arms away from the deputies, they moved away from the partition. Sergeant Binion, in considering his options, did not want the deputies to use Oleoresin Capsicum (O.C.) Spray, because he did

not want others to be affected by it. Sergeant Binion ordered deputies to take Suspect Fernandez to the ground. They exercised great restraint by guiding Suspect Fernandez' body to the floor. Suspect Fernandez lay face down with his head near the court clerk's desk. His head was pointing toward the judge's bench, and his feet were pointing toward the gallery.

IAB NOTE: Using a photograph provided during the interview, Sergeant Binion drew a triangle, representing Suspect Fernandez. The top of the triangle showed the position of Suspect Fernandez' head after the takedown [EXHIBIT G, Binion, photo A].

While deputies were still surrounding Suspect Fernandez, Sergeant Binion asked if they had full control of Suspect Fernandez' hands. They replied, "No." Suspect Fernandez cursed, screamed, and challenged the deputies to punch him, tase him, and kill him. Suspect Fernandez prevented the deputies from handcuffing him by keeping his arms under his body. At this time, Sergeant Binion ordered Deputy [redacted] to tase Suspect Fernandez. Deputy [redacted] tased Suspect Fernandez in the back at close range. After the first Taser cycle ended, Suspect Fernandez yelled and refused to let deputies handcuffing him. Sergeant Binion ordered Deputy [redacted] to tase Suspect Fernandez a second time. After the second Taser cycle ended, the deputies still could not handcuff him. Sergeant Binion ordered Deputy [redacted] to tase Suspect Fernandez a third time. When the third Taser cycle ended, deputies were able to handcuff Suspect Fernandez. Once handcuffed, Suspect Fernandez cooperated with the deputies. He was helped to his feet and escorted to the main lockup area. He was later transported to the hospital for medical treatment.

Sergeant Binion debriefed the incident with the involved personnel. The briefing focused on the effectiveness of the Taser and the fact Suspect Fernandez' sweater might have prevented the Taser probes from making contact with this skin.

Deputy Cuong Nguyen

On July 24, 2019, IAB investigators interviewed Deputy Cong Nguyen, who was working in Department 8 on the day of the incident. He responded to Department 12 after he heard a backup request over the radio. Once arrived, he saw three deputies holding Suspect Fernandez' arms, but the only name he remembered was Deputy [redacted]

Deputy Nguyen did not recall what Suspect Fernandez said, but he seemed upset and thought he should not have been remanded into custody by Witness Hudson. Deputy Nguyen believed there were enough deputies there to deal with Suspect Fernandez. Approximately three minutes later, Sergeant Binion arrived and began talking with Suspect Fernandez. Deputy Nguyen decided to leave the

courtroom since there were more than ten deputies in the same location at the time. He also needed to attend to other matters in his assigned courtroom. While Deputy Nguyen was in Department 12, Suspect Fernandez was standing next to the partition and he had not yet moved from this position.

IAB NOTE: Using a photo provided during the interview, Deputy Nguyen marked a circle where the deputies and Suspect Fernandez stood [EXHIBIT G, Nguyen, photo B].

Deputy Nguyen was read the use of force video admonishment per MPP 3-10/115.00 and reviewed the video footage of the incident **[EXHIBIT H]**. The video of the incident showed Deputy Nguyen possibly speaking to someone while he was looking toward the judge's bench, just prior to his exiting the courtroom. Deputy Nguyen stated he did not speak with anyone before leaving the courtroom. He did not remember anyone near the judge's bench.

NON-EMPLOYEE WITNESSES

Witness Russell Griffith

On June 13, 2019, IAB investigators interviewed Witness Griffith - the deputy public defender assigned to Suspect Fernandez' criminal case. Witness Griffith stated Suspect Fernandez appeared in court to be arraigned on a new charge. Suspect Fernandez was remanded into custody by the Witness Hudson. After Suspect Fernandez was remanded, deputies attempted to take Suspect Fernandez into custody. Witness Griffith did not remember how many deputies were in the courtroom at this time, but he heard a female deputy talking to Suspect Fernandez in a calm voice.

As deputies spoke to Suspect Fernandez, he and another attorney (Witness Meredith Gallen) attempted to speak with Suspect Fernandez. They encouraged him to cooperate with the deputies. Witness Griffith advised Suspect Fernandez he could face additional charges if he were to fight against the deputies. Eventually, a sergeant arrived and began to speak with Suspect Fernandez in a calm voice. Witness Griffith believed the verbal negotiations between Suspect Fernandez and deputy personnel lasted approximately twenty minutes. When Suspect Fernandez was taken down to the floor, Witness Griffith sat near the public defender's desk. His vision was obstructed by several chairs, deputies, and the court clerk's desk.

IAB NOTE: Using a photo provided during the interview, Witness Griffith placed his initials "RG" to indicate where he was seated during the incident [EXHIBIT G, Griffith, photo B].

Witness Griffith did not see exactly how the takedown was conducted. He later learned a Taser was used on Suspect Fernandez. Although he was present in

the courtroom throughout the incident, he could not hear the Taser's activation due to his hearing disability.

IAB NOTE: Using a photo provided during the interview, Witness Griffith marked the location of Suspect Fernandez' head with the word "HEAD" [EXHIBIT G, Griffith, photo A].

In the end, Suspect Fernandez was handcuffed and escorted out of the courtroom. Since the deputies surrounded Suspect Fernandez as he was escorted out of the courtroom, Witness Griffith did not know if Suspect Fernandez had any difficulty walking. Witness Griffith believed the incident could not have been handled any better. He commended the involved deputy personnel for their patience and exercise of restraint in taking Suspect Fernandez into custody.

Witness Meredith Gallen

On March 22, 2019, an IAB investigator telephoned Witness Gallen and left a voice message requesting an interview. At 1408 hours, Witness Gallen called the assigned IAB investigator and said, "I know it's your job, but I am declining the interview."

IAB NOTE: Witness Gallen left the court room as soon as the deputies took Suspect Fernandez to the floor.

Witness Stacy Walker

On July 24, 2019, IAB investigators interviewed Witness Walker, who was the judicial assistant working in Department 12 on the day of the incident. Witness Walker stated Suspect Fernandez walked into the courtroom to "handle" his warrant. Witness Walker vaguely remembered the event; however, she believed Witness Hudson remanded Suspect Fernandez into custody. Suspect Fernandez did not handle the remand order well, and he "put up a huge fight" **[See Witness Walker's transcripts, page 2]**. Witness Walker described the "fight" as Suspect Fernandez refusing to be handcuffed and moving his arms to the front of his body.

Once additional deputies entered the courtroom, they gathered around Suspect Fernandez. She recalled Suspect Fernandez said, "I'm not going in." "You might as well tase me." "You might as well kill me, but I'm not going into custody." Witness Walker believed Suspect Fernandez might have been on drugs, because of his unusual strength. At one point, a deputy told everyone to leave the courtroom. Witness Walker exited the courtroom as instructed, and went to Department 10. While standing inside Department 10, she heard the Taser's "buzzing" sound. Once the situation was under control, she was allowed to go back to the courtroom **[Refer to Witness Walker's transcripts, page 5]**.

Witness Shana Scott

On July 24, 2019, IAB Investigators interviewed Witness Scott, who was the court reporter for Department 12 on the day of the incident. When Suspect Fernandez knew that he was going to be remanded, he said, "You guys are going to have to shoot me, kill me, Tase me." "I'm not going to be remanded." At that point, more deputies arrived into the courtroom. The deputies tried to talk to Suspect Fernandez and explain to him what they needed to do. The deputies told Suspect Fernandez it would be simpler, if he were to cooperate with them.

When the deputies tried to handcuff Suspect Fernandez, he backed up and said, "No, I'm not going." At one point, a supervisor arrived and said something to the effect of, "You know what! Just come with us, it's simpler if you do it this way."

Witness Scott said deputies cleared the courtroom of the general public, and they asked the non-involved court employees to go into the jury room. While Witness Scott was inside the jury room, she heard yelling. She looked into the courtroom and saw Suspect Fernandez on the ground. It appeared deputies were trying to handcuff him. She could not see what happened because a table blocked her view.

Witness Altus Hudson

On July 24, 2019, IAB Investigators interviewed Witness Hudson, the presiding judge for Department 12. Witness Hudson recalled he remanded Suspect Fernandez into custody, and Suspect Fernandez refused to comply with the deputies. Suspect Fernandez tensed his body as the bailiffs, one of them being Deputy Sandoval, grabbed Suspect Fernandez' arms. Witness Hudson did not remember the names of the involved deputy personnel. When the additional deputies arrived, one of them asked Witness Hudson to leave the court room. Witness Hudson voluntarily left the bench and went to his chamber.

Suspect Daniel Fernandez

Watch Commander's Interview Conducted by Lieutenant Terrance Bell

On November 30, 2018, Lieutenant Bell interviewed Suspect Fernandez as part of the original Watch Commander's interview regarding the use of force. This interview was videotaped **[EXHIBIT D]**.

Suspect Fernandez admitted he was angry with his lawyers and the deputies on scene. He "blew up" because they would not let him speak to Witness Hudson. Suspect Fernandez said he resisted the deputies' efforts by forcing his hands in the air. When Suspect Fernandez was tackled down to the floor, he put his hands between his legs. He was tased, handcuffed, and taken into custody. During this interview, Suspect Fernandez pointed out two visible injuries on his

person: abrasions to his left wrist and left side of his forehead. Suspect Fernandez did not complain of pain to any other part of his body. He said the deputies treated him fairly.

IAB Interview

On January 3, 2019, at 1120 hours, IAB investigators interviewed Suspect Fernandez. He stated on November 30, 2018, he appeared in court for a warrant. He turned himself in thinking the warrant was for a parking ticket. As it turned out, Witness Hudson ordered him to be detained. He wanted to speak to Witness Hudson but the deputies told him to keep quiet.

Once Witness Hudson left the bench, he was treated like an inmate. Suddenly, deputies surrounded him and jumped on him. They took him to the floor and he blacked out shortly thereafter. Suspect Fernandez remembered being tased several times for over a minute. Suspect Fernandez stated he had been tased before by law enforcement officers, and it had never lasted that long. Deputies eventually handcuffed him. When he stood up, he felt soreness to his right ankle. He later learned from hospital staff that his right ankle was fractured. He did not know how his ankle was fractured, but he believed it was caused by the deputies during the incident.